App. F. IX-4

Previous References 1936-7 (Geol)

File No. 73-36

Serial Nos. 1-3.

Letter References.

(21)

GENERAL AND REVENUE ~~SECRETARIAT~~.

Serial Nos. Nil

Part B for June 37

SUBJECT.

Report of a fatal accident to a female coolie Chikki employed in the Byrapur Chrome mine.

D F 565 of 10.6.37

To — Chief Insp of mines

WD 0418—GPB—22,500—23-8-36

states that Government agree with him that special rules are applicable to all mines whether managed by Government or by Private people.

B

From the chief Inspector of Mines & Boilers

No 1413 dated 13/4/37

Submits a report of the accident

It is reported that the accident was due to an omission to carry out the requirements of Rule 7 of the special rules for small mines (a copy is herewith put up).

(1) Rep is invited to Rule 15 which states that no boy under the age of 12 years & no women shall be employed in the underground workings of a mine.

It is seen that Contractor Thomas employed 15 men & 26 women to carry the blasted rock to from the bottom of the pit to the top. Why these women were employed underground in contravention of the above rule is not known.

(2) Under Rule 31 no person shall be allowed to enter a mine in an intoxicated condition or if known to be subject to any complaint which might place his life in danger. It is clear from the report that before work the deceased chikki complained of indisposition.

WD 0417—GPB—80,000—8-9-36

Serial No.

She. Per this circumstance she should not have been allowed to work by the contractor if he was aware of her tender age. Whether a dept departmental action should not be taken against the contractor for a breach of Rule 3, is a point for consideration.

6 13) According to Rule 7, the top of any side of an excavation or open working which exceeds 10 ft in depth should be protected by a suitable fence or barrier to prevent persons from falling. In the case under disposal, the vertical depth at the place of accident was about 30 ft. A suitable fence. The place should have been protected by a suitable fence. If this had been done, this accident would not have occurred. It is stated that a bamboo fence has since been provided.

7 14) Reg is invited to Rule 37 which requires visits of the chief deputy to make inspections of any mine & get the defects noticed rectified whether the defect pointed out in (3) above was not noticed during

Mining accident (3

4872 V5610

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

the course of their periodical inspections & if so, whether the Govt. deputy did not take any action to get the defect rectified, are not known.

8 (5). It is stated by the Govt, that above mines, in this connection, that the special rules are not applicable to mines worked by Govt. No where it is stated that Govt mines are exempted from the operation of these rules. Ref is invited to 1. definitions 1 (1) "Small mines. "Small mine" means any working which does not exceed at any place a vertical depth of 150 ft. This seems to include workings managed by Govt. The special rules seems to apply to Govt mines in the same way as to private ones. The Asst-Sec Law Section may perhaps be consulted in the matter.

9 It is seen that this accident is attributable to a breach of not only Rule 7 but also the other rules referred to above. For orders.

For 10 please put up the regn by 28-4-39

27/4

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—3-9-36

Mining accident-

File No. of 193 . | General and Revenue Secretariat

Serial No.

A copy of the Mines Regulations is herewith put up as desired

for
28/4/11

OFFICE OF THE SECOND MEMBER
NO. 1795 37

The Mining Regulations does not seem to make any distinction between a mine worked by Govt and a mine worked by private agency. The Supdt has clearly contravened Rule 7 of the Special Rules as pointed out by the Ch. Inspr. He has further failed to act up to the directions given at RR 18 and 20 of the Special Rules.

Observer 29.4.37

7741

12 The letter of the Supdt Chrome Mine addressed to the Chief Inspr of Mines re. this accident is for perusal. (Flag Z.)

13 It exhibits ignorance of the relevant law on the subject; & the whole tone of the letter is conceived in a wrong spirit. It seems necessary that the Supdt's explr should be obtained thro' the Dir of Geology.

Second Mr) 14 June

4.5.37 3/5/37 WP 30/4/37 WP 4/5/37 30.4.37

4872 / 5610

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No. 15

Confidential

Memo no 420/36-37 dated 4/5/37 forwarded, with compliments, to the Director of Geology for favour of furnishing the explanation of the Superintendent Government chrome mines, with his remarks thereon. (Ref para 13 above)

B. O.

Secretary

for Secretary to Govt,
Industries Department

BR 5.5.37

G/1073 Dated 7.5.37

16 In forwarding the explanation of the Superintendent, Government chrome mines, on certain points relating to the fatal accident which occurred at the mines on the 19th Feb. 1937, I have to observe:-

17 I agree with the C. I. M. that the mining rules being framed for the safe working of the mines in general, are applicable to all mines irrespective whether they are managed by Govt. or by private agency.

18 I do not think that the Superintendent can be held to have been culpably negligent of the safety of his workmen, or to have actually violated the provisions of Rule 7, in not having provided suitable fences at the spot where the accident happened. Rule 7 prescribes the provision of suitable fences for excavations of more

Govt. WD 12/5

GEN. & REV. 8 MAY 1937 DEVELOPMENT BRANCH

NOTE—Contn. Sheet.

WD 0417—GPB—80,000—5-9-36

Serial No.

than 10 feet depth when the slope is more than 45°, but the side of the excavation where the accident happened though more than 10 feet deep has an inclination of only 17° as reported by the inspecting officer (Junior Inspector of Mines) and therefore I am not sure if the failure to provide a fence at the place would actually amount to the contravention of Rule 7. The Byrapur Chrome mine is an open quarry and is worked in a series of terraces or benches. Due to the provision of ample breadth of each of such benches and due to the low inclinations of the passage ways, an accident could not have been reasonably foreseen to occur. Now that it has happened it would be necessary to provide suitable fences, as an extra precautionary measure, in all places where the vertical depth exceeds 10 feet irrespective of the inclination of sides; and the Supdt. according to his report has since been putting up such fences.

19 The Superintendent erred in holding the inquest himself and disposing off the body, and also in not immediately reporting the accident to the proper authorities concerned. By the explanations he has submitted for the actions he took, he seems to have acted in good faith, but not realising the gravity of the situation. The inordinate delay in reporting the accident to the C.I.M. is a serious mistake. Since this has been the first instance in which he has so transgressed the rules and in views of the explanations he has submitted for his actions, his mistake in this instance may be kindly condoned.

B.P. Radhakrishna
Director of Geology.

With reference to your unofficial Confidential note re accident No 49 at Byrapur mines, in which a female Cooly by name Chikki died I have the honour to submit the following explanations.

(1) The prohibition of the employment of females & Children apply to underground work. Byrapur mines is an open pit and it has been usual to employ women.

(2). The woman was not intoxicated. It is a common habit for the villagers to chew tobacco

(3). Rule 7 of the rules for Kolar mines apply to inclinations above 45°. In this case the inclination was less than 20° & the Steps were wide enough being 5 to 6 ft in width & as such the rule was not contravened. As an extra precaution after this accident bamboos have now been put up in this place

(4). I am an officer of the Geological Dept & part of my duties is to inspect the mines By ~~me~~ my Constant inspections I have satisfied myself that the workings are in a safe condition

(5). The main reason for the removal of the body expeditiously, was the prevention of fear & the Spreading of unnecessary & undesirable panic among the working classes. Usually an accidental death produces a sensation of awe and pronounced depression. As both the magistrate and the Chief Inspector of mines were far away I took upon myself the responsibility of drawing up the Mahazar & I am really sorry for it now.

I had not known that a Jaffedar could hold an inquest - otherwise I would have sent for him from Karehalli - a distance of about 4 miles.

It was not my intention to convey any impression that the mining Regulation did not apply to a Govt mine. All mines have to be worked under the rules. The body in this case was removed for the special reasons which I have stated & the inquest drawn up was handed over to the police Inspector. All the witnesses were reexamined by the police. There has been a certain amount of delay in reporting it to the Chief Inspector of mines partly because I waited till after all the police investigations were over & partly because I was in Mysore on work. I am sorry for the delay which has occurred as I thought a little delay would not matter after the body had been removed. As soon as the police investigations were over I wrote to the Chief Inspector of mines for printed forms to report the accident & the place of accident was kept intact till the Junior Inspector of mines visited the place examined the witnesses & made his report.

V. Venugopal
Supt
Govt Chrome Mines
& asst Geologist
6/5/37.

To.
The Director
with Compts

Cleaning accident

General and Revenue Secretariat | Genl File No. 73 of 1936. (9) [App. F. III

Serial No.

Subd with reg to para 13 above

Sec
8/5
Hmw

It is now clear that there has been no infringement of Rule 7 though the accident indicates the desirability of pulling up a few round the bib' men. RR 18 and 20 have been violated. for which a warning may perhaps be administered

Dw Secy 10.5.37

Second mr) WD 12/5/37

Sec 13.5.37

MW 14/5/37

MW 14.5.37.

Sec 15.5.37

DEPT. OF ECONOMIC AFFAIRS COUNCIL. 27 822/—

TYPING GENL

Subd with a draft

Sec. 18/5 Hmw

Dw Secy 19.5.37

MW. 4.6.37

Issued Sec 4.6.37

82/5/18/5

NOTE—Contn. Sheet.

WD 0417—GPB—80,000—8-9-36

10

5810

Field
File No. 78 of 193 6.

General and Revenue Secretariat

Serial No. 3

To, The chief Inspr. Co of Mines & Boilers
No D 85-65 d 10/6/37
Should there be agreement with him that the Special rules were are applicable to all mines whether managed by Govt or by private people.
copy to the Dist Supdt with certain observation No D 85-66.

B

GEN. SECRETARIAT
No. 416.
15 JUNE 1937
DEVELOPMENT BRANCH

73 - 36 - 1
Genl Instructions

GOVERNMENT OF MYSORE.

DEPARTMENT OF MINES AND EXPLOSIVES.

Telegraphic Address :—
"MINESPECTOR"

Dated Oorgaum, 5th March 1937
(S. India).

No. 2129.
Encl.

H.H. SECRETARIAT
DEVELOPMENT DEPT.

FROM

C. E. SURYANARAYANA RAU, ESQ., MEM., A.I.M.E., ETC.,
Chief Inspector of Mines and Explosives in Mysore.

To

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Development Department, Bangalore.

Sir,

I have the honour to state that the report of a fatal accident to a female cooly by name Chikki which occurred on the 19th February 1937 at 3 p.m. in Byrapur Chrome Mines was received at this office from the Superintendent only yesterday. It is stated that while she was climbing up from "A" pit she swooned as a result of the heat of the sun and fell about 30 ft. and died a few minutes later.

The place of accident will be inspected and detailed enquiry held.

I have the honour to be,

Sir,

Your most obedient servant,

for Chief Inspector of Mines & Explosives in Mysore.
(absent from headquarters on tour).

R.S.

APR. 1937
DEVELOPMENT BRANCH

Gen 73-36-2

GOVERNMENT OF MYSORE.

5610
14 APR. 1937
DEVELOPMENT BRANCH

Telegraphic Address :—
"MINESPECTOR"

DEPARTMENT OF MINES AND EXPLOSIVES.

Dated Oorgaum, 13th April *193 7.*
(S. India).

No. 2413
Encl. 2.

FROM

K. Duraiswamier, Esq., B.A., A.I.M.M.,
~~K. S. KRISHNAMURTHY, M.A., B.Sc., M.I.M.M., F.G.S.,~~
Chief Inspector of Mines and Explosives in Mysore.
(in charge).

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Development Department, Bangalore.

Sir,

In continuation of this office letter No,2129 dated 5-3-37, I have the honour to forward, herewith the detailed enquiry report on the fatal accident to Chicki, a female cooly employed in the Byrapur Chrome Mines.

The first information report of this accident which occurred on the 19th February was received at this office only on the 4th March after an interval of 12 days. The inspection of the scene of the accident disclosed a contravention of rule 7 of the Special Rules prescribed for Small Mines. under Sections 21 and 37 of the Mysore Mines Regulation IV of 1906. The Superintendent in explaining the cause of delay in reporting the accident and giving reasons for the omission to provide a fence or barrier along the incline path, seems to suggest that the rules under the Mysore Mines Regulation are not applicable to mines worked by Government. As these rules have been framed for the safe working of the mines in general, they are applicable to all mines whether owned by Government or private agency. Copy of Superintendent's letter dated 1-4-37 is submitted herewith for orders of Government.

I have the honour to be,
Sir,
Your most obedient servant,

K. Duraiswamier

Chief Inspector of Mines &
Explosives in Mysore.
(in charge).

D.S.R.

D. M. E. 4] SCHEDULE. Accident No. 49.
Year 193 7.

Name and Situation of Mine— Government Chrome Mines, Byrapur.

WD 01016—GPB—2,000—21-1-35

Date 19-2-37.	Time 15	Place 'A' Pit, South Bank.	Class 23.

Killed or injured	Hours worked	Age	Occupation	Nature of injury (F. or S.)
1. Chicki ...	5	35	Female cooly	Probable fracture of base of skull.

Cause of Accident .... N.

While walking up an incline, she overbalanced and fell a distance of 30 ft.

Names and designations of persons prosecuted, etc.	No. of case	Result or penalty

Remarks :—

Sd. C.E. Suryanarayana Rau,
Chief Inspector of Mines &
Explosives in Mysore

D. M. E. 2]

WD 01014-GPB. 2,000—24-1-36

Accident No. 45.
Year 1937.

DEPARTMENT OF MINES AND EXPLOSIVES.

INSPECTION OF MINES.

PARTICULARS OF ENQUIRY.

Report received—14-3-37.

Date of inspection—8th & 9-3-1937 } by J. P. David, Esq., B.Sc.
Date of enquiry—8 and 9-3-1937.

Particulars obtained by Inspector and Remarks—

"A" Pit which runs approximately E.W. and measures about 310' x 120' on top and 200' x 20' at the bottom has reached a vertical depth of about 90 ft. The ore which occurs as lenticular bodies in this area is well exposed at the bottom of the pit and to win it with safety to workmen, the sides of the pit are set back to the required distances and provided with inclined paths and benches. All the broken rock obtained is lifted by head-loads to the surface by the coolies standing in single file along the inclined paths, the loads being passed from one to the other.

Contractor Honnankoppal Thimma was engaged in setting back the southern side of the pit. On 19-2-1937 at about 3 p.m. 15 men and 26 women were carrying the blasted rock to the pit top, when Chikki, one of the female coolies, who was on the 2nd incline somehow fell away to the 3rd incline, a distance of about 30 ft. She was immediately picked up with profuse bleeding in the nose and mouth and brought to the surface where she expired a few minutes later due to probable fracture of base of skull.

Malligamma, Sonnamma and Doddamma stated that, while having their lunch between 1 and 2 p.m., Chikki complained of indisposition and that they advised her to go home but she refused on the score that she would lose half-a-day's wage. They also stated that they were on

the

same incline as Chikki and that while carrying a piece of rock, she suddenly walked unsteadily and fell away. Nanja. son of contractor Thimma, stated that he was at the time marking places to drill holes when he heard his coolies shout that Chikki had fallen away and that he atonce rushed to the place and brought her to the pit head. Contractor Javara who was then supervising his coolies lifting broken ore on the northern bank of the pit stated that he saw Chikki falling away head foremost. C,M. Devaraj, Overseer, stated that he visited this pit that afternoon and then proceeded to "B and C" pit and that ten minutes later he was informed of the accident. He also added that he saw Chikki working that day as usual.

I inspected the scene of accident on 8th and 9th March 1937 with Mr. Mallikarjunappa, Manager, The bench where the setting back of the southern bank was in progress was about 50 ft. below surface. Three inclined paths, 60 ft. long and 6 ft. wide, 50 ft. long and 5 ft. wide and 84 ft. long and 10 ft. wide, respectively, with an inclination of not more than 17^{o} to the horizontal were provided. A piece of rock, 9 inches square and 6 inches thick, which the deceased is alleged to have carried on her head was lying at the top of the middle incline and a large patch of dried blood was found on the 3rd incline.

From the evidence gathered it is seen that Chikki appeared giddy and fell away. She had put in a service of 4 months in this mine.

Rule 7, Special Rules prescribed under Sections 21 and 37 of Mysore Mining Rules (IV of 1906) for Small Mines, lays down that

> "When any side of an excavation or open working or portion "thereof, which exceeds 10 ft. in depth, has a slope which "is steeper than 45^{o}, the top of such side shall be protected "by a suitable fence or barrier to prevent persons from "inadvertently falling into or entering the same."

In this case, the vertical depth at the place of accident was about 30 ft. A suitable fencing or a barrier would have prevented this accident. A bamboo fence has since been provided at this place.

Sd. J. P. David,
Junior Inspector of Mines. 15-3-1937.

WD 01015—GPB—2,000—23-1-35

D. M. E. 3]

Accident No. 49.
Year 1937.

Continuation Sheet No. 1.

R e m a r k s.-

The Superintendent of the mine pleads extenuating circumstances for having not fixed a fence or barrier in the first instance as he considered the 5' - 6' width of the incline path was adequate protection against persons approaching the edge adjoining the steep side of the excavation. He adds that on this particular occasion, the severe heat of the sun combined with the effect of the tobacco the deceased was chewing at the time caused her to suddenly feel giddy and fall towards the excavation. As this accident has shown that the width of path by itself was not sufficient to prevent persons from inadvertently falling into the excavation, the Superintendent has caused a number of bamboo fences to be fixed along the pathway wherever he considered this extra precaution necessary.

The accident is attributable to an omission to carry out the requirements of rule 7 of the Special Rules for Small Mines prescribed under Sections 21 and 37 of the Mysore Mines Regulation IV of 1906.

Sd/ K. Duraiswamer,

Chief Inspector of Mines &
Explosives in Mysore.
(in charge).

Oorgaum, K.G.F.,
13/4/1937.
D.S.R.

"Copy"

Chief Inspector of Mines &
Explosives in Mysore.
13/4/1937.

V. T. Venugopal, Esq., B.A.,
Superintendent,
Government Chrome Mines.

MYSORE GEOLOGICAL DEPARTMENT.

Bangalore, 1st April 1937.

To

The Chief Inspector of Mines & Explosives in Mysore,
O o r g a u m.

Sir,

With reference to your Reference No.2214/1 dated the 23rd March 1937 regarding accident No.49 resulting in the fatal injury to one Chikki a female cooly, I have the honour to state that the death occurred at about 3 p.m. on 19th February 1937.

The Mining Regulation applies to all privately owned mines but the proprietors of the Byrapur Chrome Mines are the Government themselves. Cases of accidental death are required to be reported to the nearest magistrate and the Chief Inspector of Mines before the body is removed in the case of fatal accidents. In this instance, I would like to bring to your kind consideration that Byrapur is not like Kolar, near to the Chief Inspector of Mines and where people are accustomed to accidents, death and bloodshed. This is the first time that an accident of this nature occurred at Byrapur and as the labour is of the rustic type, it produced a great impression of fear. By detaining the body on the mine through the night it was feared that a fright will be caused in the minds of the un-educated labour especially at a time when we wanted labour for weighing out a large tonnage of ore which we have recently sold.

The villagers were likely to spread ghost stories etc. and in fact, in spite of the precautions taken some labour stopped away for a few days on account of fear and parental anxiety on the part of fathers and mothers of some of the working women. Altogether it was thought, that in the best interest of the mine and that of Government it was better to remove the body before the mine coolies were dispersed and had an opportunity of crowding round the dead body and getting themselves excited. A mahazar was therefore drawn up with all the eye-witnesses and the body handed over to the nearest relative available. I sincerely regret that I had not known that a daffedar could hold the inquest as I could have sent for him from Karehalli - a distance of 4 miles It was my belief that according to the strict rules it was necessary for a magistrate and the Chief Inspector of Mines to be present on the spot and as both the officers were far away from the mine and as the mine was a Government owned mine and myself being a Government officer, I thought it best to look after the larger interests of the mine and of the Government and labour in not creating a fright and hindrance in labour recruitment. Even though there is nothing specifically stated in the Regulation about any Government owned mine and what a Government Superintendent of Mines is expected to do in such a case nevertheless for the reasons stated above and partly because I was myself an inspecting officer of prospecting blocks and mining leases by virtue of being an officer of the Mysore Geological Department, I felt that my bonafide investigations can be confirmed or supplemented both by the police and the Chief Inspector of Mines.

After the body was removed there was really no need for a great hurry and as I had to leave for Mysore on work I left Byrapur the next day leaving word with the Manager to wait till a police officer came up and made his investigations about the absence of foul play, malice, etc. The Sub Inspector of Nuggehalli made his investigation on 25th February 1937 and the Inspector of Police, Chennarayapatna made further investigations on 2nd March 1937. After this, the report has been sent to the Chief Inspector of Mines requesting him to record the accidental death either on perusal of papers - all of which had been handed over to the Inspector of Police, Channarayapatna or by his own personal investigation. The Junior Inspector of Mines visited the mines on the 9th March 1937 and made a further investigation from the Mining point of view and has sent his report.

It is not usual to provide bamboo fences inside the pits except where the inclines are narrow in width. In the present case the inclines were quite wide being 5 to 6 ft. wide. The angle of inclination was not as much as 45°, but only about 20° or 25°. People working in the pits have to be careful and it goes

goes without saying that mining is a hazardous work and a certain amount of risk is inevitable. The woman would not have fallen but for the hot sun and chewing tobacco, both of which have contributed to her giddiness. It will be very costly to provide bamboo fences for all the inclines such that and so close that a human body will not slip through. This is a sad accident which has occurred on account of the abnormal condition of giddiness and loss of control of body and as such nobody is responsible for any negligence. However, in view of this accident and to produce an impression of safety some more bamboo fences have recently added where it was thought desirable.

Under the circumstances explained, I have the honour to request that the case may be closed and recorded an accidental death and the District Superintendent of Police, Hassan, be intimated about the explanations I have offered.

I have the honour to be,
Sir,
Your most obedient servant,

Sd: V.T. Venugopal,
Superintendent,
Mysore Government Chrome Mines.

"Copy"

Chief Inspector of Mines &
Explosives in Mysore.
13/4/1937.

D.S.R.

3 9

Appendix F G—1]

SUBJECT .....

.....

.....

Section Genl

File No. 73-36

Serial No. 3

Diary No. of letter replied to.....

No. D. 8565

To The Chief Inspector of Mines & Boilers

General and Revenue Secretariat

( )

the *193* .

Sir,

With ref to your letter No 2413 dated 13/4/37 forwarding a detailed report on the fatal accident to Chikki employed in the Byrapur Coal Chrome Mines I am directed to state that as the special rules framed under Sections 21 & 37 of the Mysore Mines Regulation (IV of 1906) were framed for the safe working of the mines in general & that they are applicable to all mines whether managed by

Date of issue 10/4/37

Signed by Asst K. S.

~~A copy of the order is to be supplied to the Inspector~~

that Govt agree with you the

List of enclosures.....

Copied by .....

Examined by.....

Govt. v/s private people.

Please clear

DW Sq
19.5.37

Confidential

Memo No D.8566 S/10/6/37

Copy to the Dy. Legal Adviser with reference to his U.O. Note No 9.1873 dated 7/5/37. Please clear. Rules 18 & 20 of the General rules were violated by the Royalty, Govt. claims for which a warning may be administered to him.

B.O.

DW Sq
19.5.37

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 8th June 1937.

No. D 8515

From

The *Secretary to the Government of His Highness the Maharaja of Mysore, Development Department.*

To

The Chief Inspector of Mines and Explosives,

Oórgaum (Kolar Gold Fields).

Sir,

With reference to your letter No.2413 dated 13th April 1937 forwarding a detailed report on the fatal accident to Chicki employed in the Byrapur Government Chrome Mines, I am directed to state that Government agree with you that the special rules prescribed under Sections 21 and 37 of the Mysore Mines Regulation (IV of 1906) were framed for the safe working of the mines in General and that they are applicable to all mines whether managed by Government or by private people.

I have the honour to be,

Sir,

Your most obedient servant,

Sd. M. Venkatanaranappa
Secretary to Government,
Development Department.

Aga/2.

Memo No. D 8516 Dated, Bangalore the 8th June 1937.

Copy of the above is forwarded with compliments to the Director of Geology with reference to his unofficial note No.G. 1873 dated 7th May 1937. It is clear that Rules 18 and 20 of the Special Rules were violated by the Superintendent, Government Chrome Mines for which a warning may be administered to him.

By Order,

Secretary to Government,
Development Department.